

U.S. Department of Justice

United States Attorney's Office

Eastern District of Virginia

 2100 Jamieson Avenue
 703/299-3721

 Alexandria, Virginia 22314
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November 19, 2004

Edward B. MacMahon, Jr. P.O. Box 903 107 East Washington Street Middleburg, Virginia 20118

Re: U.S. v. Al-Timimi, Crim. No. 1:04cr385; Discovery Letter #5

Dear Ed:

1. In addition to the materials I wrote in Discovery Letter #4 would be available for your inspection in the United States Attorney's Office, the following additional materials are also available for your inspection:

	<u> </u>		
DESCRIPTION	DATE	PAGES	BATE STAMP #'s
Transcript of grand jury testimony by Randall Royer	12/19/2002	86	001057-001242
Transcript of Grand Jury testimony of Ibrahim Al-Hamdi	6/19/2003	68	001243-001311
Transcript of Grand Jury testimony of Ibrahim Al-Hamdi	6/24/2003	40	001312-001351
Transcript of Grand Jury testimony of Omar Madani	7/15/2003	67	001352-001418
Transcript of Grand Jury testimony of Idris Palmer	8/6/2003	51	001419-001468
Letter to Yong Kwon c/o Wartel from AUSA Kromberg	5/7/2003	2	01538-01539
Ltr to MacDougal & Pellegrino re: Kwon from Kromberg	7/23/2003	2	01540-01541
Plea Agreement and Statement of Facts Yong Ki Kwon	filed 8/25/2003	17	01542-01558
Proffer letter to Aatique c/o Bowman from Kromberg	5/12/2003	2	01559-01560
Proffer letter to Aatique c/o Bowman from Kromberg	6/2/2003	2	01561-01562
Plea Agreement and Statement of Facts Aatique	filed 9/22/2003	16	01563-01578
Proffer letter to Surratt from Gordon Kromberg	6/11/2003	2	01579-01580
Plea Agreement and Statement of Facts Surratt	filed 8/22/2003	15	01581-01595
Proffer letter to Hasan c/o Abbenante from Kromberg	7/30/2003	2	01596-01597
Plea Agreement and Statement of Facts Hasan	filed 8/21/2003	14	01598-01611
Handwritten statement by Kwon dated 3/25/2003	undated	4	01642-01645
Statement of Khwaja Mahmood Hasan	12/16/2003	7	01693-01699
Transcript of monitored tel call between Aatique and Chandia	5/9/2003	3	01700-01702
Transcript of monitored tel call between Aatique and Gharbieh	5/9/2003	1	1703
Proffer letter for Nabil Garbieh	4/3/2003	2	01704-01705
Proffer letter for Nabil Garbieh	6/2/2003	2	01706-01707
Proffer letter for Abdul Hakim Abdus-Shakur	5/12/2003	2	01708-1709
Transcript of Grand Jury testimony of Aatique	6/4/2003	58	01829-01886
Transcript of Grand Jury testimony of Surratt	6/11/2003	82	01887-01968

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Transcript of Grand Jury testimony of Thompson 1674/2003 155 12101-02155 17 Transcript of Grand Jury testimony of Hasan 1876/2003 149 02256-02304 Redacted Trans. Grand Jury testimony of Ammerman 1876/2003 16 02356-02308 Redacted Trans. on Hearing before Judge Jones 1870/2003 16 02356-02308 16 02356-02308 16 02356-02308 16 02356-02308 16 02356-02308 16 02356-02308 16 02356-02308 17 02406-02408 Redacted Trans. of Grand Jury testimony of Ammerman 1876/2003 16 02356-02308 16 02356-02308 16 02356-02308 17 02406-02408 Redacted Trans. of Grand Jury testimony of Ammerman 1876/2003 11 02421-02431 18 02411-02431 18 02411-0203 11 02421-02431 18 02431-02431 18 02431-02431 18 02431-02431 18 02431-02431 18 02431-02431 18 02431-02431 18 02431-02431 18 02431-02431 18 02466-02446 18 02468-02446 18 02468-02446 18 02468-02446 18 02468-02446 19 02468-0246 19 02				
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	FBI 302 report of interview with Khwaja Hasan	Dec. 16,2 003	2	03148-03149

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FBI 302 report of interview with Donald Surratt	Nov. 18, 2003	3	03150-03152
FBI 302 report of interview with Nabil Gharbieh	Dec. 15, 2003	2	03153-03154
FBI 302 report of interview with Tamim Popalzai	Nov. 17, 2003	6	03155-03160
FBI 302 report of interview with Khwaja Hasan	December 3, 2003	5	03165-03169
FBI 302 report of interview with Yong Ki Kwon	Nov. 26, 2003	6	03170-03175
FBI 302 report of interview with Bassem Khafaji	Nov. 24, 2003	6	03176-03181
FBI 302 report of interview with Khwaja Hasan	Nov. 21, 2003	4	03182-03185
FBI 302 report of interview with Shibli Zaman	Nov. 19, 2003	5	03186-03190
FBI 302 report of interview with Ali Mehdi Al-Timimi	Nov. 17, 2003	13	03191-03203
FBI 302 report of interview with Taurus Colvin	Nov. 16, 2003	3	03204-03206
FBI 302 report of interview with Khwaja Hasan	Nov. 13, 2003	3	03207-03209
FBI 302 report of interview with Muhammad Aatique	November 5, 2003	3	03210-03212
FBI 302 report of interview with Khwaja Hasan	November 7, 2003	4	03213-03216
FBI 302 report of interview with Khwaja Hasan	October 28, 2003	6	03217-03222
FBI 302 report of interview with Donald Surratt	Sept. 26, 2003	5	03223-03227
Transcript of Testimony of Hasan, U.S. v. Al-Hussayen	May 20-24, 2004	99	03232-03330

As we have discussed, these materials are available for you to examine **but not to photocopy.** To the extent that these materials include information that *also* may constitute *Jencks* materials, we will try to provide you copies of those materials by December 27th for you to retain through trial. Please call Abena Durity at (703) 299-3960 to arrange for review of these materials.

Thank you for your cooperation.

Sincerely,

Paul J. McNulty

United States Attorney

By:

Gordon D. Kromberg

Assistant United States Attorney